

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

CIMON LOVESS

Plaintiff,

v.

Civil Action No.

EMBRACE HOME LOANS  
INOVA FEDERAL CREDIT UNION  
CITI WORTH MORTGAGE LLC  
OTTNO INC.  
ONEMAIN FINANCIAL, INC.  
PROSPER MARKETPLACE INC.  
AMERICAN EXPRESS INT'L CORP  
DISCOVER FINANCIAL SERVICES  
DISCOVERY BANK  
BANK OF AMERICA, N.A.  
TLG/POINT BREEZE CREDIT UNION  
BAYCOUNTRY CONSUMER FIN., INC.  
RMK FINANCIAL CORP  
LOANDEPOT.COM, LLC  
PARAMOUNT EQUITY MORTGAGE  
CREDIT ONE FINANCIAL  
CHASE CARD  
SANTANDER CONSUMER USA  
SECURITYPLUS FEDERAL CREDIT UNION  
PROSPER/WEBBANK  
LENDINGCLUB CORPORATION  
THE TRAVELERS COMPANIES, INC.  
NRRM, LLC  
NATIONAL AUTO INSPECTION  
FIRST USA BANKCORP INC  
DYNAMIC RECOVERY SOLS, LLC  
CITIBANK, N.A.

Defendants.

**NOTICE OF REMOVAL**

Defendants Discover Financial Services and Discover Bank (collectively, the "Discover Defendants"), by their undersigned counsel, Ballard Spahr LLP, hereby provide notice pursuant to 28 U.S.C. §§ 1441 and 1446 of the removal of the above-captioned case from the Circuit

Court for Baltimore County, Maryland to the United States District Court for the District of Maryland. As grounds for removal, the Discover Defendants states as follows:

**Background**

1. On or about May 31, 2017, Plaintiff Cimon Lovess (“Plaintiff”) filed a Complaint in the Circuit Court for Baltimore County, Maryland (the “Complaint”). A true and correct copy of the Complaint is attached as Exhibit ‘A’.

2. Plaintiff’s Complaint alleges a cause of action under the Fair Credit Reporting Act (“FCRA”) 15 U.S.C. § 1681, *et. seq.*

3. On or about July 5, 2017, Plaintiff served the Discover Defendants with process.

**Federal Question Jurisdiction**

4. This Court has original jurisdiction under 28 U.S.C. § 1331 as Plaintiff alleges violations of a claim or right arising under the laws of the United States.

5. Specifically, the Plaintiff’s Complaint alleges violations of the FCRA, 15 U.S.C. § 1681, *et. seq.*

6. Therefore, this action is subject to removal pursuant to 28 U.S.C. §§ 1331 and 1441 at the request of the Discover Defendants, because Plaintiff’s claims arise under the laws of the United States.

**Venue**

7. Under 28 U.S.C. § 1441(a), the United States District Court for the District of Maryland is the proper venue for removal because this suit is pending in the Circuit Court for Baltimore County, Maryland, which lies within the judicial district over which District Court for the District of Maryland presides.

**Procedural Compliance**

8. Removal of this action is timely. 28 U.S.C. § 1446(b) provides that, “[t]he notice of removal of a civil action or proceeding shall be filed within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based[.]” This Notice of Removal is being filed with the United States District Court for the District of Maryland within thirty (30) days after the Discover Defendants first received notice of the filing of the Complaint.

9. The Discover Defendants attach to this Notice of Removal as Exhibit A, and incorporate by reference, a copy of Plaintiff’s Complaint. The Complaint is the only “process, pleadings or orders” obtained by the Discover Defendants in this action. 28 U.S.C. § 1446(a). A copy of the Complaint is also filed herewith in a PDF image file.

10. Discover has attempted to obtain the consent of the other named defendants to remove this action. However, upon information and belief, no other named defendant has been properly served with the Complaint as of the date of this Notice of Removal. Discover confirmed this by telephone with the clerk of the Circuit Court of Baltimore County, who advised that as of this date, no affidavits of service have been filed in connection with this matter. Accordingly, consent of the other named defendants is not required to remove the action to this Court. 28 U.S.C. § 1446(b)(2)(A) (“When a civil action is removed solely under section 1441(a), all defendants *who have been properly joined and served* must join in or consent to the removal of the action.”) (emphasis added).

11. The Discover Defendants are serving contemporaneously with this filing a copy of this Notice of Removal upon Plaintiff. The Discover Defendants will also file with the Clerk for the Circuit Court for Baltimore County, Maryland a Notice of Filing of Notice of Removal,

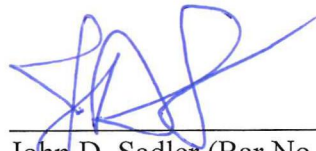
as required by 28 U.S.C. § 1446(d). A true and correct copy of the Notice of Filing of Notice of Removal (without exhibits) is attached hereto as Exhibit B.

12. By filing a Notice of Removal in this matter, the Discover Defendants do not waive their right to object to service of process, the sufficiency of process, jurisdiction over the person, or venue. No admission of fact, law, or liability is intended by this Notice, and the Discover Defendants specifically reserve the right to assert any defenses and/or objections to which it may be entitled.

13. Based upon the foregoing, this Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331, and this action is properly removed to this Court.

WHEREFORE, the Discover Defendants hereby gives notice that the above-captioned action, currently pending in the Circuit Court for Baltimore County, Maryland, is hereby removed to this Court.

Respectfully submitted,



Dated: August 4, 2017

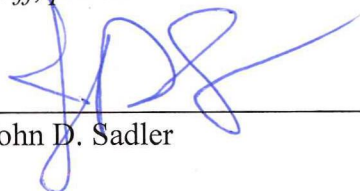
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*Attorneys for Defendants Discover Financial  
Services and Discover Bank*

**CERTIFICATE OF SERVICE**

This is to certify that on this 4<sup>th</sup> day of August, 2017, I caused a true and correct copy of the foregoing Notice of Removal to be delivered via first-class mail, postage prepaid, upon the following:

Cimon Lovess  
5546 Channing Road  
Baltimore, MD 21229  
*Plaintiff, pro se*



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John D. Sadler